

EIGHTY-THIRD DAY

(Tuesday, June 3, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Garland
Allison	Gilmer
Alsup	Goodman
Avant	Halsey
Bailey	Hanna
Baker	Hardeman
Bean	Hargis
Bell	Harris of Dallas
Benton	Harris of Hill
Blankenship	Hartzog
Boone	Heflin
Brawner	Helpinstill
Bray	Henderson
Bridgers	Hileman
Brown	Hobbs
Bruhl	Howard
Bullock	Howington
Bundy	Hoyo
Burkett	Huddleston
Burnaman	Hughes
Carlton	Humphrey
Carrington	Hutchinson
Cato	Isaacks
Chambers	Jones
Clark	Kelly
Cleveland	Kennedy
Coker	Kinard
Colson, Mrs.	King
Craig	Klingeman
Crossley	Knight
Crosthwait	Lansberry
Daniel	Lehman
Davis	Leyendecker
Deen	Little
Dickson of Bexar	Lock
Dickson of Nolan	Love
Donald	Lucas
Dove	McAlister
Duckett	McCann
Dwyer	McDonald
Ellis	McGlasson
Eubank	McLellan
Evans	McMurry
Favors	McNamara
Ferguson	Manford
Files	Manning
Fitzgerald	Markle
Fuchs	Martin
Gandy	Matthews

Montgomery	Simpson
Moore	Skiles
Morgan	Smith of Bastrop
Morris	Smith of Atascosa
Murray	Spacek
Pace	Spangler
Parker	Stanford
Pevehouse	Stinson
Price	Taylor
Rampy	Thornton
Reed of Bowie	Turner
Reed of Dallas	Vale
Ridgeway	Voigt
Rhodes	Walters
Roark	Wattner
Roberts	Weatherford
Sallas	White
Senterfitt	Whitesides
Shell	Winfree

Absent—Excused

Allen	Mills
Celaya	Morse
Connolly	Nicholson
Huffman	Phillips
Kersey	Sharpe
Lowry	Stubbs
Lyle	

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Almighty God, we pray that in these times our people and ourselves may be humble before Thee, that Thou wouldst forgive our iniquities and heal our blackslidings. All our strength, all our defense, and all our progress must be rooted in Thee if they are to succeed and be of permanent value. The Lord help us here and all our people to lift up our eyes unto Thee, and to rejoice in Thy favor. In Christ's name. Amen."

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Lyle for this morning on motion of Mr. Little.

Mr. Connolly for today on motion of Mr. Moore.

Mr. Sharpe for today on motion of Mr. Roark.

Mr. Allen for today on motion of Mr. Markle.

Mr. Kersey for today on motion of Mr. Carlton.

Mr. Lowry for today on motion of Mr. Walters.

Mr. Celaya for today on motion of Mr. Vale.

Mr. Phillips for today on motion of Mr. Reed of Dallas.

Mr. Huffman for today and the remainder of the week on motion of Mr. Isaacks.

The following Members were granted leaves of absence on account of illness:

Mr. Morse for today on motion of Mr. Harris of Dallas.

Mr. Stubbs for today on motion of Mr. Alsop.

BILL ORDERED NOT PRINTED

On motion of Mr. McMurry, House Bill No. 161 was ordered not printed.

**TO EXTEND GREETINGS TO
REPUBLICS OF CENTRAL
AND SOUTH AMERICA**

Mr. Montgomery offered the following resolution:

H. S. R. No. 318, To extend greetings to Republics of Central and South America.

Whereas, Frank McCracken, of Houston, Harris County, Texas, and a citizen of Texas and of the United States of America and a son of O. A. McCracken, Jr., a former distinguished Member of the House of Representatives from the 78th District, Bexar County, Texas, has been delegated by the Rotary Club of Houston, Texas, together with several others, to visit our friends and neighbors in our sister republics in Central and South America on a good will tour; and

Whereas, It is believed that this visit will bring about a more kindly feeling between the United States and our sister republics aforesaid and that the State of Texas should do everything within its power to

foster and perpetuate said good neighbor policy; now, therefore, be it

Resolved, That the said Frank McCracken be and he is hereby authorized and directed to take to our sister republics of Central and South America the greetings of the State of Texas, and he is authorized to extend to our aforesaid neighbors and friends a cordial invitation to visit the State of Texas.

MONTGOMERY,
WINFREE,
HEFLIN,
MORSE,
HOWARD,
HOYO,
DWYER,
RIDGEWAY,
DICKSON of Bexar.

The resolution was read second time and was adopted.

PROVIDING FOR THE APPOINTMENT OF CERTAIN COMMITTEE

Mr. Ridgeway offered the following resolution:

H. C. R. No. 186, Providing for the appointment of committee to be known as the Texas Committee to further Pan-American relations.

Whereas, The State of Texas has greater and more frequent contacts with the Republic of Mexico than any other State in the Union; and

Whereas, These contacts have proved to be pleasant and profitable for the citizens of Texas and the Republic of Mexico; and

Whereas, It is highly desirable that these contacts be furthered and enlarged by the nursing and enhancing of more cordial relations between the State of Texas and the Republic of Mexico; and

Whereas, This end could best be brought about by the appointment of a group of Texas citizens who are interested in furthering economic and social relations with the Mexican people by acting as an intermediary between the two peoples and their State and Federal Governments, removing as far as possible such obstacles as arise from time to

time to hinder the pleasant relations which now exist between these two peoples; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Speaker of the House be empowered to appoint three citizens of Texas, and the President of the Senate be empowered to appoint two citizens of Texas, which five persons shall compose a committee to be known as the Texas Committee to Further Pan-American Relations, and which Committee shall serve without remuneration from the State of Texas.

The resolution was read second time and was adopted.

RELATIVE TO SENATE BILL NO. 301

Mr. Lucas offered the following resolution:

H. C. R. No. 194, Relative to Senate Bill No. 301.

Whereas, Senate Bill No. 301, An Act to regulate "Transportation Agents," has passed both Houses of the Legislature, and has been signed and approved by the Governor; and

Whereas, Said Bill was given a record vote in the House with the necessary number of votes to suspend the Constitutional Rule and put it into immediate effect but was passed in the Senate by a viva voce vote; and

Whereas, Section 39 of Article III of the Constitution of the State of Texas provides that laws passed by the Legislature shall take effect and go into force ninety (90) days after the adjournment of the session at which they are enacted, unless, in case of emergency, which emergency must be expressed in a preamble or in the body of the Act, the Legislature shall, by a vote of two-thirds of all members elected to each House otherwise direct; and

Whereas, The emergency is a part of, and expressed in the body of, said Senate Bill No. 301; now therefore, be it

Resolved by the House of Representatives, the Senate concurring, by an affirmative vote of two-thirds of all the members elected to each House, That said Senate Bill No. 301

be and the same is hereby declared to be in full force and effect from and after the passage of this Resolution; the votes thereon to be taken by yeas and nays and entered upon the Journals of the respective Houses; the purpose of this Resolution being to put said Senate Bill No. 301 into immediate effect without waiting for the expiration of the ninety-day period immediately following the adjournment of this Regular Session of the Forty-seventh Legislature; and be it further

Resolved, That said Senate Bill No. 301, including this Resolution, is an emergency measure, and such emergency is hereby declared for the reasons herein and in said Senate Bill No. 301 stated; and on account of such emergency, an imperative public necessity demands that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended, and said Senate Bill No. 301 and this Resolution shall be in force and take effect from and after the passage hereof, and it is so enacted.

LUCAS,
CARRINGTON.

The resolution was read second time and was adopted by the following vote:

Yeas—111

Allison	Crosthwait
Alsup	Daniel
Avant	Deen
Bailey	Dickson of Bexar
Baker	Dickson of Nolan
Bell	Donald
Benton	Dove
Boone	Duckett
Brawner	Ellis
Bray	Eubank
Bridgers	Evans
Brown	Ferguson
Bruhl	Files
Bullock	Fitzgerald
Bundy	Fuchs
Burkett	Gandy
Carlton	Gilmer
Carrington	Goodman
Cato	Halsey
Clark	Hanna
Cleveland	Hardeman
Coker	Hargis
Colson, Mrs.	Harris of Dallas

Harris of Hill	Matthews
Heflin	Montgomery
Helpinstill	Moore
Hileman	Murray
Hobbs	Pace
Howington	Parker
Hoyo	Pevehouse
Huddleston	Price
Humphrey	Rampy
Hutchinson	Reed of Bowie
Isaacks	Reed of Dallas
Jones	Ridgeway
Kelly	Rhodes
Kennedy	Roark
King	Roberts
Klingeman	Senterfitt
Knight	Shell
Lansberry	Simpson
Lehman	Skiles
Leyendecker	Smith of Bastrop
Little	Smith of Atascosa
Lock	Spacek
Love	Stanford
Lucas	Stinson
McAlister	Thornton
McCann	Turner
McGlasson	Vale
McLellan	Voigt
McMurry	Walters
Manford	Wattner
Manning	Weatherford
Markle	White
Martin	

Nays—4

Craig	Hughes
Favors	McNamara

Absent

Bean	Howard
Blankenship	Kinard
Burnaman	McDonald
Chambers	Morgan
Crossley	Morris
Davis	Sallas
Dwyer	Spangler
Garland	Taylor
Hartzog	Whitesides
Henderson	Winfree

Absent—Excused

Allen	Mills
Celaya	Morse
Connelly	Nicholson
Huffman	Phillips
Kersey	Sharpe
Lowry	Stubbs
Lyle	

PROVIDING FOR CERTAIN CORRECTIONS IN H. J. R. No. 1

Mr. Gilmer offered the following resolution:

H. C. R. No. 197, Providing for certain correction in House Joint Resolution No. 1.

Whereas, H. J. R. No. 1 is a most important measure and should be carefully and accurately drawn; and

Whereas, Such measure has been passed by both the House and Senate, and in such passage, due to the lack of time to carefully prepare a proper draft of said H. J. R. No. 1, the same has some ambiguity as to the meaning of said portions of said measure; and

Whereas, It is believed that the following corrected draft of said H. J. R. No. 1 will more nearly and accurately express the meaning and desires of the members of both Houses and will clarify portions of said H. J. R. No. 1; now therefore, be it

Resolved, by the House of Representatives, the Senate concurring, That the Enrolling Clerk of the House be, and she is hereby instructed to insert into said H. J. R. No. 1 the following corrections and clarifications of said H. J. R. No. 1 so that the quoted portions shall thereupon be and read as follows:

“Sec. 49a. It shall be the duty of the Comptroller of Public Accounts in advance of each Regular Session of the Legislature to prepare and submit to the Governor and to the Legislature upon its convening, a statement under oath showing fully the financial condition of the State Treasury at the close of the last fiscal period and an estimate of the probable receipts and disbursements for the then current fiscal year. There shall also be contained in said statement an itemized estimate of the anticipated revenue based on the laws then in effect, that will be received by and for the State from all sources showing the fund accounts to be credited during the succeeding biennium and said statement shall contain such other information as may be required by law.

Supplemental Statements shall be submitted at any Special Session of the Legislature and at such other times as may be necessary to show probable changes.

"From and after January 1, 1945, save and in the case of emergency and imperative public necessity and with a four-fifths vote of the total membership of each House, no appropriation in excess of the cash and anticipated revenue of the funds from which such appropriation is to be made shall be valid. From and after January 1, 1945, no bill containing an appropriation shall be considered as passed or be sent to the Governor for consideration until and unless the Comptroller of Public Accounts endorses his certificate thereon showing that the amount appropriated is within the amount estimated to be available in the affected funds. When the Comptroller finds an appropriation bill exceeds the estimated revenue he shall endorse such finding thereon and return to the House in which same originated. Such information shall be immediately made known to both the House of Representatives and the Senate and the necessary steps shall be taken to bring such appropriation to within the revenue, either by providing additional revenue or reducing the appropriation.

"For the purpose of financing the outstanding obligations of the General Revenue Fund of the State and placing its current accounts on a cash basis the Legislature of the State of Texas is hereby authorized to provide for the issuance, sale, and retirement of serial bonds, equal in principal to the total outstanding, valid, and approved obligations owing by said fund on September 1, 1943, provided such bonds shall not draw interest in excess of two (2) per cent per annum and shall mature within twenty (20) years from date."

GILMER,
REED of Dallas,
STINSON,
MORSE.

The resolution was read second time and was adopted by the following vote:

Yeas—114

Allison	Humphrey
Alsup	Isaacks
Avant	Jones
Bailey	Kelly
Baker	Kennedy
Bean	King
Beñ	Klingeman
Benton	Knight
Boone	Lansberry
Bray	Lehman
Bridgers	Leyendecker
Brown	Little
Bruhl	Lock
Bullock	Love
Bundy	McAlister
Burkett	McCann
Carlton	McDonald
Carrington	McGlasson
Cato	McMurry
Chambers	McNamara
Clark	Manford
Cleveland	Markle
Coker	Martin
Colson, Mrs.	Matthews
Craig	Montgomery
Crossley	Moore
Crosthwait	Morris
Daniel	Murray
Davis	Pace
Deen	Parker
Dickson of Bexar	Pevehouse
Dickson of Nolan	Price
Dove	Rampy
Ellis	Reed of Bowie
Eubank	Reed of Dallas
Evans	Ridgeway
Ferguson	Rhodes
Files	Roark
Fitzgerald	Roberts
Fuchs	Senterfitt
Gandy	Shell
Gilmer	Simpson
Goodman	Skiles
Halsey	Smith of Bastrop
Hanna	Smith of Atascosa
Hardeman	Spangler
Hargis	Stanford
Harris of Dallas	Stinson
Harris of Hill	Taylor
Hartzog	Thornton
Helpinstill	Turner
Henderson	Vale
Hileman	Voigt
Howington	Walters
Hoyo	Wattner
Huddleston	White
Hughes	Whitesides

Nays—6

Burnaman	Donald
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Duckett
Favors

Hobbs
Lucas

Absent

Blankenship	McLellan
Brawner	Manning
Dwyer	Morgan
Garland	Sailas
Heflin	Spacek
Howard	Weatherford
Hutchinson	Winfree
Kinard	

Absent—Excused

Allen	Mills
Celaya	Morse
Connelly	Nicholson
Huffman	Phillips
Kersey	Sharpe
Lowry	Stubbs
Lyle	

RELATIVE TO HOUSE BILL
NO. 894

On motion of Mr. Pevehouse, the House granted the request of the Senate for the return of House Bill No. 894.

MOTION TO INTRODUCE CERTAIN
BILL

Mr. Dickson of Bexar moved to introduce at this time, the following bill:

By Mr. Dickson of Bexar, Mr. Hileman, Mr. Turner, Mr. Lyle, Mr. Taylor, Mr. Hartzog, Mr. Love, Mr. Isaacks, Mr. Morris, Mr. Bell, Mr. Carlton, Mr. Lansberry, Mr. Harris of Dallas, Mr. Heflin, Mr. Vale, Mr. Dove, Mr. Kinard, Mr. Bean, Mr. Donald, Miss Files, Mr. Stanford, Mr. Carrington, Mr. Little, Mr. Chambers, Mr. Benton, Mr. Moore, Mr. Roark, Mr. Evans, Mr. Henderson, Mr. Alsup, Mr. Humphrey, Mr. Clark, Mr. Ridgeway, Mr. Dickson of Nolan, Mr. Cato, Mr. Smith of Atascosa, Mr. Harris of Hill, Mr. Ellis, Mr. Howington, Mr. Hughes, Mr. Bridgers, Mr. Brawner, Mr. Deen, Mr. King, Mr. Murray, Mr. Parker, Mr. Manning, Mr. Jones, Mr. Boone, Mr. McCann, Mr. Coker and Mr. Allison:

H. B. No. —, A bill to be entitled "An Act providing for a runoff election following any special election to

fill any and all elective offices, where no candidate receives a majority of the votes cast at the special election; repealing all laws in conflict; and declaring an emergency."

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—70

Allison	Harris of Dallas
Alsup	Harris of Hill
Avant	Heflin
Bell	Henderson
Benton	Hileman
Boone	Howington
Brawner	Hughes
Bray	Humphrey
Bridgers	Isaacks
Brown	Klingeman
Bullock	Lansberry
Carlton	Lehman
Carrington	Leyendecker
Cato	Lock
Chambers	Love
Clark	Manning
Cleveland	Markle
Coker	Montgomery
Colson, Mrs.	Moore
Crosthwait	Morgan
Daniel	Morris
Davis	Murray
Deen	Ridgeway
Dickson of Bexar	Rhodes
Dickson of Nolan	Roark
Donald	Senterfitt
Dove	Skiles
Duckett	Smith of Atascosa
Ellis	Spangler
Eubank	Taylor
Evans	Thornton
Files	Turner
Fuchs	Vale
Hardeman	Wattner
Hargis	Whitesides

Nays—43

Bailey	Hoyo
Baker	Huddleston
Bruhl	Jones
Bundy	Kennedy
Burnaman	King
Craig	Knight
Crossley	Lucas
Favors	McAlister
Ferguson	McCann
Goodman	McGlasson
Halsey	McMurry
Hanna	McNamara
Hobbs	Martin

Matthews	Simpson
Pace	Smith of Bastrop
Parker	Spacek
Pevehouse	Stinson
Price	Voigt
Rampy	Walters
Reed of Bowie	White
Reed of Dallas	Winfree
Roberts	

Present—Not Voting

Helpinstill

Absent

Bean	Little
Blankenship	Lyle
Burkett	McDonald
Dwyer	McLellan
Fitzgerald	Manford
Gandy	Morse
Garland	Nicholson
Gilmer	Phillips
Hartzog	Sallas
Howard	Shell
Hutchinson	Stanford
Kelly	Stubbs
Kinard	Weatherford

Absent—Excused

Allen	Kersey
Celaya	Lowry
Connelly	Mills
Huffman	Sharpe

INSTRUCTION TO CONFERENCE
COMMITTEE ON SENATE BILL
No. 402

Mr. Whitesides submitted the following motion:

"I move that the House conferees on Senate Bill No. 402 be instructed to change the Rusk State Hospital allocation for laundry equipment on page 3458, item 78, from \$3,250 for each year of the biennium to \$6,500 for the year ending August 31, 1942."

The motion prevailed.

HOUSE BILL NO. 828 PASSED
NOTWITHSTANDING THE
VETO OF THE GOV-
ERNOR

Mrs. Colson moved to pass, at this time, House Bill No. 828, notwithstanding the veto of the Governor:

H. B. No. 828, A bill to be entitled

"An Act amending Sections 3, 5, 6, 7 and 9 of Chapter 426, Acts of the Regular Session of the Forty-fifth Legislature, relative to the powers of the San Jacinto River Conservation and Reclamation District; providing for the appointment, terms, salary, rights, powers and duties of the Board of Directors of said district; fixing the boundaries and domicile of said district; declaring the recurrent floods in the valley of the San Jacinto River to be a public calamity; repealing Section 11 of said Chapter 426, Acts of the Regular Session of the Forty-fifth Legislature, together with all other laws and parts of laws in conflict with the provisions of this Act; providing a saving clause and declaring an emergency."

House Bill No. 828 was passed notwithstanding the veto of the Governor by the following vote:

Yeas—104

Allison	Ferguson
Alsup	Files
Avant	Fitzgerald
Bailey	Gandy
Bell	Garland
Benton	Halsey
Boone	Hanna
Brawner	Hardeman
Bray	Harris of Dallas
Bridgers	Harris of Hill
Brown	Heflin
Bruhl	Helpinstill
Bullock	Henderson
Burnaman	Hileman
Carlton	Hoyo
Carrington	Hughes
Cato	Humphrey
Clark	Hutchinson
Cleveland	Isaacks
Coker	Jones
Colson, Mrs.	Kelly
Craig	Kennedy
Crossley	Kinard
Crosthwait	Klingeman
Daniel	Lansberry
Deen	Lehman
Dickson of Bexar	Leyendecker
Dickson of Nolan	Little
Donald	Lock
Dove	Love
Duckett	Lucas
Ellis	McAlister
Eubank	McCann
Evans	McDonald

McGlasson	Senterfitt
McLellan	Shell
McMurry	Simpson
McNamara	Skiles
Manford	Smith of Bastrop
Manning	Smith of Atascosa
Markle	Spacek
Martin	Spangler
Montgomery	Stanford
Moore	Taylor
Morgan	Thornton
Morris	Turner
Murray	Vale
Pevehouse	Wattner
Reed of Dallas	Weatherford
Ridgeway	White
Roark	Whitesides
Roberts	Winfree

Nays—12

Burkett	Pace
Davis	Parker
Favors	Reed of Bowie
Fuchs	Rhodes
King	Voigt
Matthews	Walters

Present—Not Voting

Goodman	Hobbs,
	Absent
Baker	Howard
Bean	Howington
Blankenship	Huddleston
Bundy	Knight
Chambers	Price
Dwyer	Rampy
Gilmer	Sallas
Hargis	Stinson
Hartzog	

Absent—Excused

Allen	Mills
Celaya	Morse
Connelly	Nicholson
Huffman	Phillips
Kersey	Sharpe
Lowry	Stubbs
Lyle	

Mrs. Colson moved to reconsider the vote by which the motion prevailed and to table the motion to reconsider.

The motion to table prevailed.

**H. B. NO. 286 PASSED NOTWITH-
STANDING OBJECTIONS
OF GOVERNOR**

Mr. Benton moved to pass, at this time, House Bill No. 286 notwithstanding the veto of the Governor,

H. B. No. 286, A bill to be entitled "An Act to protect and preserve the political right and freedom, right and status of any and all persons employed, on/or to be on leave of absence, or in military service of the United States, by any person, firm, corporation or association of persons, by regulating in certain particulars the rights and relationships between such employers and employees with respect to political affairs, reinstatement and/or reemployment in former position with employer, defining the term "Employer of Labor"; providing fines and penalties for the violation of this Act; and repealing all laws or parts of laws in conflict herewith, making a separability provision, and declaring an emergency."

House Bill No. 286 failed to pass notwithstanding the veto of the Governor, by the following vote (not receiving the necessary two-thirds vote):

Yeas—76

Allison	Hileman
Alsup	Hoyo
Avant	Hughes
Bailey	Humphrey
Bean	Kelly
Bell	Lansberry
Benton	Leyendecker
Blankenship	Little
Boone	Lock
Bridgers	Love
Brown	McAlister
Bruhl	McGlasson
Bullock	McLellan
Burnaman	Manning
Carlton	Markle
Carrington	Martin
Cato	Matthews
Coker	Montgomery
Crosthwait	Moore
Daniel	Morgan
Deen	Morris
Dickson of Bexar	Murray
Eubank	Ridgeway
Evans	Rhodes
Files	Roark
Fitzgerald	Senterfitt
Fuchs	Shell
Gilmer	Simpson
Halsey	Skiles
Hanna	Smith of Atascosa
Harris of Dallas	Spangler
Hartzog	Stanford
Heflin	Stinson
Henderson	Taylor

Thornton	Wattner	Yeas—86	
Turner	Weatherford	Allison	Humphrey
Vale	Whitesides	Alsup	Jones
Walters	Winfree	Avant	Kelly
Nays—43		Bailey	Lansberry
Baker	Kinard	Baker	Leyendecker
Bray	King	Bean	Little
Clark	Klingeman	Bell	Love
Cleveland	Knight	Benton	McAlister
Craig	Lehman	Blankenship	McGlasson
Crossley	Lucas	Bridgers	McLellan
Davis	McCann	Brown	McMurry
Dickson of Nolan	McMurry	Bruhl	Manning
Donald	McNamara	Bullock	Markle
Duckett	Pace	Burnaman	Martin
Ellis	Parker	Carlton	Matthews
Favors	Pevehouse	Carrington	Montgomery
Garland	Price	Cato	Moore
Goodman	Rampy	Cleveland	Morgan
Hargis	Reed of Bowie	Coker	Morris
Harris of Hill	Roberts	Crosthwait	Murray
Helpinstill	Sallas	Daniel	Rampy
Hobbs	Smith of Bastrop	Dickson of Bexar	Reed of Dallas
Howington	Spacek	Dwyer	Ridgeway
Huddleston	Voigt	Eubank	Rhodes
Hutchinson	White	Evans	Roark
Kennedy		Files	Senterfitt
Absent		Fitzgerald	Shell
Brawner	Hardeman	Fuchs	Simpson
Bundy	Howard	Gandy	Skiles
Burkett	Isaacks	Garland	Smith of Atascosa
Chambers	Jones	Gilmer	Spacek
Colson, Mrs.	Lyle	Goodman	Spangler
Dove	McDonald	Halsey	Stanford
Dwyer	Manford	Hanna	Stinson
Ferguson	Reed of Dallas	Hardeman	Taylor
Gandy		Hargis	Thornton
Absent—Excused		Harris of Dallas	Turner
Allen	Mills	Hartzog	Vale
Celaya	Morse	Heflin	Walters
Connelly	Nicholson	Henderson	Wattner
Huffman	Phillips	Hileman	Weatherford
Kersey	Sharpe	Hoyo	Whitesides
Lowry	Stubbs	Hughes	Winfree
Mr. McMurry moved to reconsider the vote by which House Bill No. 286 failed to pass notwithstanding the veto of the Governor.		Nays—37	
The motion to reconsider prevailed.		Bray	Kennedy
Question: Shall House Bill No. 286 pass notwithstanding the veto of the Governor?		Craig	Kinard
House Bill No. 286 was passed notwithstanding the veto of the Governor by the following vote:		Crossley	King
		Davis	Klingeman
		Deen	Knight
		Dickson of Nolan	Lehman
		Donald	Lock
		Duckett	Lucas
		Ellis	McCann
		Favors	McDonald
		Harris of Hill	McNamara
		Helpinstill	Pace
		Hobbs	Parker
		Howington	Pevehouse
		Huddleston	Price
		Hutchinson	Reed of Bowie

Roberts
Sallas
Smith of Bastrop

Voigt
White

Absent

Boone
Brawner
Bundy
Burkett
Chambers
Clark
Colson, Mrs.

Dove
Ferguson
Howard
Isaacks
Lyle
Manford

Absent—Excused

Allen
Celaya
Connelly
Huffman
Kersey
Lowry

Mills
Morse
Nicholson
Phillips
Sharpe
Stubbs

Mr. Benton moved to reconsider the vote by which the motion prevailed and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 1074 ON SECOND READING

(By unanimous consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1074, A bill to be entitled "An Act to amend Section 8, Chapter 42, Acts of the 41st Legislature, 2nd Called Session, as amended by Section 9, Chapter 282, Acts of the 42nd Legislature, Regular Session, prescribing the rate and speed of motor or other vehicles upon the public highways of Texas, and within the corporate limits of an incorporated city or town, and within any town or village not incorporated; prescribing the rate of speed for a commercial motor vehicle, truck-tractor, trailer or semi-trailer; defining the terms "daytime" and "nighttime," etc.; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 1074 ON THIRD READING

Mr. Stanford moved that the Constitutional Rule requiring bills to be read on three several days be sus-

pended and that House Bill No. 1074 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—123

Allison	Hileman
Alsup	Hobbs
Avant	Howington
Bailey	Hoyo
Baker	Huddleston
Bean	Hughes
Bell	Humphrey
Benton	Hutchinson
Blankenship	Jones
Brawner	Kelly
Bray	Kennedy
Bridgers	Kinard
Brown	Klingeman
Bruhl	Knight
Bullock	Lansberry
Burkett	Lehman
Burnaman	Leyendecker
Carlton	Little
Carrington	Lock
Cato	Love
Clark	Lucas
Cleveland	McAlister
Coker	McCann
Colson, Mrs.	McGlasson
Crothwait	McLellan
Daniel	McMurry
Davis	McNamara
Deen	Manford
Dickson of Bexar	Manning
Dickson of Nolan	Markle
Donald	Martin
Dove	Matthews
Duckett	Montgomery
Dwyer	Moore
Ellis	Morgan
Eubank	Morris
Evans	Murray
Favors	Parker
Ferguson	Pevehouse
Files	Price
Fitzgerald	Rampy
Fuchs	Reed of Bowie
Gandy	Reed of Dallas
Garland	Ridgeway
Gilmer	Rhodes
Goodman	Roark
Halsey	Roberts
Hanna	Sallas
Hardeman	Senterfitt
Hargis	Simpson
Harris of Dallas	Skiles
Harris of Hill	Smith of Bastrop
Heflin	Smith of Atascosa
Helpinstill	Spacek
Henderson	Spangler

Stanford
Stinson
Taylor
Thornton
Turner
Vale
Voigt

Walters
Wattner
Weatherford
White
Whitesides
Winfree

Nays—1

King

Absent

Boone
Bundy
Chambers
Craig
Crossley
Hartzog

Howard
Isaacks
McDonald
Pace
Shell

Absent—Excused

Allen
Celaya
Connelly
Huffman
Kersey
Lowry
Lyle

Mills
Morse
Nicholson
Phillips
Sharpe
Stubbs

The Speaker then laid House Bill No. 1074 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—123

Allison
Alsup
Avant
Bailey
Baker
Bean
Bell
Benton
Blankenship
Brawner
Bray
Bridgers
Brown
Bruhl
Bullock
Burkett
Burnaman
Carlton
Carrington
Cato
Clark
Cleveland
Coker
Colson, Mrs.
Crosthwait
Daniel
Davis

Deen
Dickson of Bexar
Dickson of Nolan
Donald
Dove
Duckett
Dwyer
Ellis
Eubank
Evans
Favors
Ferguson
Files
Fitzgerald
Fuchs
Gandy
Garland
Gilmer
Goodman
Halsey
Hanna
Hardeman
Hargis
Harris of Dallas
Harris of Hill
Heflin
Helpinstill

Henderson
Hileman
Hobbs
Howington
Hoyo
Huddleston
Hughes
Humphrey
Hutchinson
Jones
Kelly
Kennedy
Kinard
Klingeman
Knight
Lansberry
Lehman
Leyendecker
Little
Lock
Love
Lucas
McAlister
McCann
McGlasson
McLellan
McMurray
McNamara
Manford
Manning
Markle
Martin
Matthews
Montgomery
Moore

Morgan
Morris
Murray
Parker
Pevehouse
Price
Rampy
Reed of Bowie
Reed of Dallas
Ridgeway
Rhodes
Roark
Roberts
Sallas
Senterfitt
Simpson
Skiles
Smith of Bastrop
Smith of Atascosa
Spacek
Spangler
Stanford
Stinson
Taylor
Thornton
Turner
Vale
Voigt
Walters
Wattner
Weatherford
White
Whitesides
Winfree

Nays—1

King

Absent

Boone
Bundy
Chambers
Craig
Crossley
Hartzog

Howard
Isaacks
McDonald
Pace
Shell

Absent—Excused

Allen
Celaya
Connelly
Huffman
Kersey
Lowry
Lyle

Mills
Morse
Nicholson
Phillips
Sharpe
Stubbs

SENATE BILL NO. 22 ON SECOND READING

(By unanimous consent)

The Speaker laid before the House, on its second reading and passage to third reading.

S. B. No. 22, A bill to be entitled "An Act providing for the appointment of grand jury bailiffs by the Judge of the Criminal District Court of Bexar County, etc.; and declaring an emergency."

The bill was read second time.

Mr. McLellan offered the following committee amendment to the bill:

Amend Senate Bill No. 22, by striking out all below the enacting clause and inserting in lieu thereof, the following:

"Section 1. In any county in this State, having a population in excess of three hundred and thirty-seven (337,000) thousand inhabitants, according to the last preceding or any future Federal Census, all grand jury bailiffs serving the Criminal District Courts in such counties shall receive as compensation for their services, a salary of two thousand four hundred (\$2,400.00) dollars per annum, each; said compensation to be payable in twelve (12) equal monthly installments.

"Sec. 2. In addition to the salary herein provided for, grand jury bailiffs serving the Criminal District Courts in such counties, shall each be allowed the sum of Fifty (\$50.00) Dollars per month for repair, maintenance and traveling expenses of an automobile used by each of said grand jury bailiffs while on official business in the investigation of crime and the service of process. Said allowances, together with the salary of each of said grand jury bailiffs, to be paid monthly on approval of the Judge of each of said Courts, by said County out of either the Jury Fund or the General Fund of said County.

"Sec. 3. All laws and parts of laws insofar as they conflict with this Act are hereby repealed.

"Sec. 4. The fact that in the class of counties affected by this Act there is a great need that the county pay a portion of the automobile expenses of the grand jury bailiffs as provided for in this Act, on account of the unusual and large amount of traveling done, and the further fact that the grand jury bailiffs have not been adequately compensated for their services; and the fact that the docket of the Criminal District

Courts of the counties affected hereby are crowded and are in session continuously, creates an emergency and an imperative public necessity that the Constitutional Rule requiring that bills be read on three several days in each House be, and the same is hereby suspended, and that this Act shall take effect and be in force from and after its passage and it is so enacted."

Mr. Ridgeway offered the following amendment to the committee amendment:

Amend Committee Amendment No. 1 to Senate Bill No. 22 by substituting in lieu thereof the following:

"Section 1. In any county in this State, having a population in excess of three hundred and thirty-seven (337,000) thousand inhabitants, according to the last preceding or any future Federal Census, all grand jury bailiffs serving the Criminal District Courts in such counties shall receive as compensation for their services, a salary of Two Thousand Five Hundred Twenty (\$2,520.00) Dollars per annum, each; said compensation to be payable in twelve (12) equal monthly installments.

"Sec. 2. Said allowances, together with the salary of each of said grand jury bailiffs, to be paid monthly on approval of the Judge of each of said Courts, by said County out of either the Jury Fund or the General Fund of said County.

"Sec. 3. All laws and parts of laws insofar as they conflict with this Act are hereby repealed.

"Sec. 4. The fact that in the class of counties affected by this Act the grand jury bailiffs have not been adequately compensated for their services; and the fact that the docket of the Criminal District Courts of the counties affected hereby are crowded and are in session continuously, creates an emergency and an imperative public necessity that the Constitutional Rule requiring that bills be read on three several days in each House be, and the same is hereby suspended, and that this Act shall take effect and be in force from and after its passage and it is so enacted."

The amendment was adopted.

The committee amendment, as amended, was then adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 22 was then passed to third reading.

SENATE BILL NO. 22 ON THIRD READING

Mr. Ridgeway moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that Senate Bill No. 22 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—116

Allison	Goodman
Alsup	Halsey
Avant	Hanna
Bailey	Hardeman
Baker	Hargis
Bell	Harris of Dallas
Benton	Harris of Hill
Blankenship	Hartzog
Bray	Heflin
Bridgers	Helpinstill
Brown	Henderson
Bruhl	Hileman
Bullock	Hobbs
Burkett	Howington
Burnaman	Hoyo
Carlton	Huddleston
Carrington	Hughes
Cato	Humphrey
Clark	Hutchinson
Cleveland	Jones
Coker	Kelly
Crosthwait	Kennedy
Daniel	Kinard
Davis	Klingeman
Deen	Knight
Dickson of Bexar	Lansberry
Dickson of Nolan	Lehman
Donald	Leyendecker
Dove	Little
Duckett	Lock
Dwyer	Love
Ellis	Lucas
Eubank	McAlister
Evans	McCann
Favors	McGlasson
Ferguson	McLellan
Files	McMurry
Fuchs	McNamara
Gandy	Manford
Garland	Manning

Markle	Senterfitt
Martin	Simpson
Matthews	Skiles
Montgomery	Smith of Bastrop
Moore	Smith of Atascosa
Morris	Spacek
Murray	Spangler
Parker	Stinson
Pevehouse	Taylor
Price	Thornton
Rampy	Turner
Reed of Bowie	Vale
Reed of Dallas	Voigt
Ridgeway	Walters
Rhodes	Weatherford
Roark	White
Roberts	Whitesides
Sallas	Winfree

Absent

Bean	Howard
Boone	Isaacks
Brawner	King
Bundy	McDonald
Chambers	Morgan
Colson, Mrs.	Pace
Craig	Shell
Crossley	Stanford
Fitzgerald	Wattner
Gilmer	

Absent—Excused

Allen	Mills
Celaya	Morse
Connelly	Nicholson
Huffman	Phillips
Kersey	Sharpe
Lowry	Stubbs
Lyle	

The Speaker then laid Senate Bill No. 22 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—116

Allison	Carlton
Alsup	Carrington
Avant	Cato
Bailey	Clark
Baker	Cleveland
Bell	Coker
Benton	Crosthwait
Blankenship	Daniel
Bray	Davis
Bridgers	Deen
Brown	Dickson of Bexar
Bruhl	Dickson of Nolan
Bullock	Donald
Burkett	Dove
Burnaman	Duckett

Dwyer	McCann
Ellis	McGlasson
Eubank	McLellan
Evans	McMurry
Favors	McNamara
Ferguson	Manford
Files	Manning
Fuchs	Markle
Gandy	Martin
Garland	Matthews
Goodman	Montgomery
Halsey	Moore
Hanna	Morris
Hardeman	Murray
Hargis	Parker
Harris of Dallas	Pevehouse
Harris of Hill	Price
Hartzog	Rampy
Heflin	Reed of Bowie
Helpinstill	Reed of Dallas
Henderson	Ridgeway
Hileman	Rhodes
Hobbs	Roark
Howington	Roberts
Hoyo	Sallas
Huddleston	Senterfitt
Hughes	Simpson
Humphrey	Skiles
Hutchinson	Smith of Bastrop
Jones	Smith of Atascosa
Kelly	Spacek
Kennedy	Spangler
Kinard	Stinson
Klingeman	Taylor
Knight	Thornton
Lansberry	Turner
Lehman	Vale
Leyendecker	Voigt
Little	Walters
Lock	Weatherford
Love	White
Lucas	Whitesides
McAlister	Winfree

Absent

Bean	Howard
Boone	Isaacks
Brawner	King
Bundy	McDonald
Chambers	Morgan
Colson, Mrs.	Pace
Craig	Shell
Crossley	Stanford
Fitzgerald	Wattner
Gilmer	

Absent—Excused

Allen	Kersey
Celaya	Lowry
Connelly	Lyle
Huffman	Mills

Morse	Sharpe
Nicholson	Stubbs
Phillips	

MOTION TO PLACE HOUSE BILL
NO. 348 ON SECOND READING

Mr. Bridgers moved that the necessary Rules be suspended for the purpose of taking up and considering, at this time,

H. B. No. 348, A bill to be entitled "An Act to authorize the Board of Control to lease or rent certain County Hospitals; authorizing the State Board of Control to take over, manage and operate jointly with any County or City-County Medical Unit in conjunction with the operation of the State Tuberculosis Sanatorium certain tuberculosis hospital units; prescribing rules and regulations for the management thereof under the direction of the Superintendent of the State Tuberculosis Sanatorium; providing for agreements with certain counties which have erected hospitals for the exclusive treatment of tuberculosis; providing for the joint management of such health units in such counties under the direction of the Superintendent of the State Tuberculosis Sanatorium and County or City-County Hospital Unit; providing for the payment of certain expenses in part by the State in support of such hospitals."

The motion was lost.

HOUSE BILL NO. 1045 ON
SECOND READING

(By unanimous consent.)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1045, A bill to be entitled "An Act providing that it shall be unlawful to buy or sell any fish caught in Possum Kingdom Lake, located in Stephens, Palo Pinto and Young Counties or in any of the back waters; any person found guilty of this Act shall be fined not less than Five Dollars (\$5.00) nor more than One Hundred Dollars (\$100.00); and declaring an emergency."

The bill was read second time.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all

changes and with the body of the bill.

House Bill No. 1045 was then passed to engrossment.

HOUSE BILL NO. 1045 ON THIRD READING

Mr. Clark moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that House Bill No. 1045 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—113

Allison	Harris of Dallas
Alsup	Harris of Hill
Avant	Hartzog
Bailey	Helpinstill
Bean	Henderson
Bell	Hileman
Benton	Howard
Boone	Howington
Brawner	Hoyo
Bray	Huddleston
Bridgers	Hughes
Brown	Humphrey
Bruhl	Hutchinson
Bullock	Jones
Bundy	Kelly
Carlton	Kennedy
Carrington	Kinard
Cato	Klingeman
Clark	Knight
Cleveland	Lansberry
Coker	Lehman
Colson, Mrs.	Leyendecker
Craig	Lock
Crossley	Love
Crosthwait	Lucas
Daniel	McAlister
Davis	McCann
Dickson of Bexar	McGlasson
Dickson of Nolan	McLellan
Dove	McMurry
Duckett	McNamara
Dwyer	Manford
Ellis	Markle
Eubank	Martin
Ferguson	Matthews
Fitzgerald	Montgomery
Fuchs	Moore
Gandy	Morris
Garland	Pace
Goodman	Pevehouse
Hanna	Price
Hardeman	Rampy
Hargis	Reed of Bowie

Reed of Dallas	Stanford
Ridgeway	Stinson
Rhodes	Taylor
Roark	Thornton
Roberts	Turner
Sallas	Vale
Senterfitt	Voigt
Shell	Walters
Simpson	Wattner
Skiles	Weatherford
Smith of Bastrop	White
Smith of Atascosa	Whitesides
Spacek	Winfree
Spangler	

Nays—1

Donald

Absent

Baker	Heflin
Blankenship	Hobbs
Burkett	Isaacks
Burnaman	King
Chambers	Little
Deen	McDonald
Evans	Manning
Favors	Morgan
Files	Murray
Gilmer	Parker
Halsey	

Absent—Excused

Allen	Mills
Celaya	Morse
Connelly	Nicholson
Huffman	Phillips
Kersey	Sharpe
Lowry	Stubbs
Lyle	

The Speaker then laid House Bill No. 1045 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—113

Allison	Bundy
Alsup	Carlton
Avant	Carrington
Bailey	Cato
Bean	Clark
Bell	Cleveland
Benton	Coker
Boone	Colson, Mrs.
Brawner	Craig
Bray	Crossley
Bridgers	Crosthwait
Brown	Daniel
Bruhl	Davis
Bullock	Dickson of Bexar

Dickson of Nolan	McLellan
Dove	McMurry
Duckett	McNamara
Dwyer	Manford
Ellis	Markle
Eubank	Martin
Ferguson	Matthews
Fitzgerald	Montgomery
Fuchs	Moore
Gandy	Morris
Garland	Pace
Goodman	Pevehouse
Hanna	Price
Hardeman	Rampy
Hargis	Reed of Bowie
Harris of Dallas	Reed of Dallas
Harris of Hill	Ridgeway
Hartzog	Rhodes
Helpinstill	Roark
Henderson	Roberts
Hileman	Sallas
Howard	Senterfitt
Howington	Shell
Hoyo	Simpson
Huddleston	Skiles
Hughes	Smith of Bastrop
Humphrey	Smith of Atascosa
Hutchinson	Spacek
Jones	Spangler
Kelly	Stanford
Kennedy	Stinson
Kinard	Taylor
Klingeman	Thornton
Knight	Turner
Lansberry	Vale
Lehman	Voigt
Leyendecker	Walters
Lock	Wattner
Love	Weatherford
Lucas	White
McAlister	Whitesides
McCann	Winfree
McGlasson	

Nays—1

Donald

Absent

Baker	Heflin
Blankenship	Hobbs
Burkett	Isaacks
Burnaman	King
Chambers	Little
Deen	McDonald
Evans	Manning
Favors	Morgan
Files	Murray
Gilmer	Parker
Halsey	

Absent—Excused

Allen	Connelly
Celaya	Huffman

Kersey	Nicholson
Lowry	Phillips
Lyle	Sharpe
Mills	Stubbs
Morse	

HOUSE BILL NO. 1049 ON
SECOND READING

(By unanimous consent.)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1049, A bill to be entitled "An Act for the purpose of providing necessary regulations for the taking or possession of fish, or use of fishing tackle or gear, from the body of water impounded by Possum Kingdom Dam, which dam is situated in Palo Pinto County, Texas, and declaring it unlawful to fish in said body of water, possess, or dispose of fish taken therefrom, or possess fishing tackle, except in accordance with regulations issued under the directions given in this Act; providing a special license for those over seventeen (17) years of age who fish in Possum Kingdom Lake; providing for the disposition of funds collected from the sale of such special license; providing a suitable penalty for violation of any provision of this Act; repealing conflicting laws; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 1049 ON
THIRD READING

Mr. Clark moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that House Bill No. 1049 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—113

Allison	Bray
Alsup	Bridgers
Avant	Brown
Bailey	Bruhl
Bean	Bullock
Bell	Bundy
Benton	Carlton
Boone	Carrington
Brawner	Cato

Clark	Love
Cleveland	Lucas
Coker	McAlister
Colson, Mrs.	McCann
Craig	McGlasson
Crossley	McLellan
Crosthwait	McMurry
Daniel	McNamara
Davis	Manford
Dickson of Bexar	Markle
Dickson of Nolan	Martin
Dove	Matthews
Duckett	Montgomery
Dwyer	Moore
Ellis	Morris
Eubank	Pace
Ferguson	Pevehouse
Fitzgerald	Price
Fuchs	Rampy
Gandy	Reed of Bowie
Garland	Reed of Dallas
Goodman	Ridgeway
Hanna	Rhodes
Hardeman	Roark
Hargis	Roberts
Harris of Dallas	Sallas
Harris of Hill	Senterfitt
Hartzog	Shell
Helpinstill	Simpson
Henderson	Skiles
Hileman	Smith of Bastrop
Howard	Smith of Atascosa
Howington	Spacek
Hoyo	Spangler
Huddleston	Stanford
Hughes	Stinson
Humphrey	Taylor
Hutchinson	Thornton
Jones	Turner
Kelly	Vale
Kennedy	Voigt
Kinard	Walters
Klingeman	Wattner
Knight	Weatherford
Lansberry	White
Lehman	Whitesides
Leyendecker	Winfree
Lock	

Nays—1

Donald

Absent

Baker	Gilmer
Blankenship	Halsey
Burkett	Heflin
Burnaman	Hobbs
Chambers	Isaacks
Deen	King
Evans	Little
Favors	McDonald
Files	Manning

Morgan	Parker
Murray	
Absent—Excused	
Allen	Mills
Celaya	Morse
Connelly	Nicholson
Huffman	Phillips
Kersey	Sharpe
Lowry	Stubbs
Lyle	

The Speaker then laid House Bill No. 1049 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—113

Allison	Harris of Dallas
Alsup	Harris of Hill
Avant	Hartzog
Bailey	Helpinstill
Bean	Henderson
Bell	Hileman
Benton	Howard
Boone	Howington
Brawner	Hoyo
Bray	Huddleston
Bridgers	Hughes
Brown	Humphrey
Bruhl	Hutchinson
Bullock	Jones
Bundy	Kelly
Carlton	Kennedy
Carrington	Kinard
Cato	Klingeman
Clark	Knight
Cleveland	Lansberry
Coker	Lehman
Colson, Mrs.	Leyendecker
Craig	Lock
Crossley	Love
Crosthwait	Lucas
Daniel	McAlister
Davis	McCann
Dickson of Bexar	McGlasson
Dickson of Nolan	McLellan
Dove	McMurry
Duckett	McNamara
Dwyer	Manford
Ellis	Markle
Eubank	Martin
Ferguson	Matthews
Fitzgerald	Montgomery
Fuchs	Moore
Gandy	Morris
Garland	Pace
Goodman	Pevehouse
Hanna	Price
Hardeman	Rampy
Hargis	Reed of Bowie

Reed of Dallas	Stanford
Ridgeway	Stinson
Rhodes	Taylor
Roark	Thornton
Roberts	Turner
Sallas	Vale
Senterfitt	Voigt
Shell	Walters
Simpson	Wattner
Skiles	Weatherford
Smith of Bastrop	White
Smith of Atascosa	Whitesides
Spacek	Winfree
Spangler	

Nays—1

Donald

Absent

Baker	Heflin
Blankenship	Hobbs
Burkett	Isaacks
Burnaman	King
Chambers	Little
Deen	McDonald
Evans	Manning
Favors	Morgan
Files	Murray
Gilmer	Parker
Halsey	

Absent—Excused

Allen	Mills
Celaya	Morse
Connolly	Nicholson
Huffman	Phillips
Kersey	Sharpe
Lowry	Stubbs
Lyle	

RELATIVE TO HOUSE BILL NO. 1068

Mr. Boone asked unanimous consent of the House that the following amendment be adopted to House Bill No. 1068:

Amend House Bill No. 1068 by substituting in lieu of the first sentence in paragraph (6) of Section 2 thereof the following:

"(6) All revenues derived and collected under the provisions of this Act shall be allocated as provided in Section 2 of Article 20 of House Bill No. 8, Regular Session of the Forty-seventh Legislature."

There was no objection offered and it was so ordered.

HOUSE JOINT RESOLUTION NO. 21 ON FINAL PAS- SAGE

The Speaker laid before the House, on its final passage,

H. J. R. No. 21, Proposing an amendment to the Constitution of the State of Texas providing for a Supreme Court of nine members, and for continuous session of that Court.

The resolution having heretofore been read third time.

Mr. Bell moved to table House Joint Resolution No. 21.

(Mr. Eubank in the Chair.)

The motion to table prevailed.

HOUSE JOINT RESOLUTION NO. 7 ON THIRD READING

The Chair laid before the House, on its third reading and final passage,

H. J. R. No. 7, Proposing an amendment to the Constitution of the State of Texas to provide free textbooks for children of scholastic age attending any private, church, parochial school or academy, or any orphan asylum of Texas, at the election of such schools to use such textbooks.

The resolution was read third time.

Mr. Spacek offered the following amendment to the resolution:

Amend House Joint Resolution No. 7 by striking out everything below the resolving clause and insert in lieu thereof the following:

Section 1. That Section 3, Article 7 of the Constitution of the State of Texas, be amended so as to hereafter read as follows:

"Sec. 3. One-fourth of the revenue derived from the State occupation taxes and poll tax of one dollar on every inhabitant of the State, between the ages of twenty-one and sixty years, shall be set apart annually for the benefit of the public free schools; and in addition thereto, there shall be levied and collected an annual ad valorem State tax of

such an amount not to exceed thirty-five cents on the one hundred (\$100.00) dollars valuation, as with the available school fund arising from all other sources, will be sufficient to maintain and support the public schools of this State for a period of not less than six months in each year, and it shall be the duty of the State Board of Education to set aside a sufficient amount out of the said tax to provide free text books adopted by the State, for the use of every child of scholastic age, attending any school within the State upon the election of the parent or guardian of such child to use such books; provided, however, that should the limit of taxation herein named be insufficient the deficit may be met by appropriation from the general funds of the State and the Legislature may also provide for the formation of school districts by general laws; and all such school districts may embrace parts of two or more counties, and the Legislature shall be authorized to pass laws for the assessment and collection of taxes in all said districts and for the management and control of the public school or schools of such districts, whether such districts are composed of territory wholly within a county or in parts of two or more counties, and the Legislature may authorize an additional ad valorem tax to be levied and collected within all school districts heretofore formed or hereafter formed, for the further maintenance of public free schools, and for the erection and equipment of school buildings therein; provided that a majority of the qualified property tax paying voters of the district voting at an election to be held for that purpose, shall vote such tax not to exceed in any one year one (\$1.00) dollar on the one hundred dollars valuation of the property subject to taxation in such district, but the limitation upon the amount of school district tax herein authorized shall not apply to incorporated cities or towns constituting separate and independent school districts, nor to independent or common school districts created by general or special law."

Sec. 2. That Section 5, Article 7, of the Constitution of the State of

Texas, be amended so as to hereafter read as follows:

"Sec. 5. The principal of all bonds and other funds, and the principal arising from the sale of the lands hereinbefore set apart to said school fund, shall be the permanent school fund, and all the interest derivable therefrom and the taxes herein authorized and levied shall be the available school fund, to which the Legislature may add not exceeding one per cent annually of the total value of the permanent school fund such value to be ascertained by the Board of Education until otherwise provided by law, and the available school fund shall be applied annually to the support of the public free schools. And no law shall ever be enacted appropriating any part of the permanent or available school fund to any other purpose whatever; nor shall the same, or any part thereof ever be appropriated to or used for the support of any sectarian school, provided that the State Board of Education may furnish State adopted text books free to every child of scholastic age, attending any school within the State upon the election of the parent or guardian of such child to use such books; and the available school fund herein provided shall be distributed to the several counties according to their scholastic population and applied in such manner as may be provided by law."

Sec. 3. The foregoing Constitutional Amendment shall be submitted to the electors of this State qualified to vote on Constitutional amendments at the election to be held on the first Tuesday following the first Monday in November, 1942, at which election there shall be printed on each ballot the following:

"For the Amendment to the Constitution of the State of Texas permitting the furnishing of free text books to every child of scholastic age attending any school within this State," and

"Against the Amendment to the Constitution of the State of Texas permitting the furnishing of free text books to every child of scholastic age attending any school within this State," and

Every voter shall mark out with pen or pencil the clause which he

desires to vote against, or the word "For" or the word "Against" at the beginning of such clause, so as to indicate his vote for or against each of said proposed amendments.

Sec. 4. The Governor is hereby directed to issue the necessary proclamation for said election and shall have the same published as required by the Constitution and laws of this State, and said election shall be held under the Constitution and laws of this State.

Sec. 5. The sum of Five Thousand (\$5,000.00) Dollars or so much thereof as shall be necessary is hereby appropriated out of the State Treasury to pay the expenses of the publications and elections provided for in this resolution.

SPACEK,
BELL,
McLELLAN,
LOWRY,
NICHOLSON,
HOBBS.

Question: Shall the amendment to House Joint Resolution No. 7 be adopted?

(Speaker in the Chair.)

MOTION TO PLACE SENATE BILL NO. 5 ON SECOND READING

Mr. Bell moved that the necessary Rules be suspended for the purpose of taking up and considering, at this time,

S. B. No. 5, A bill to be entitled "An Act granting and donating to each respective county of this State for a period of five (5) years, beginning with the taxable year 1942, one-half of the State ad valorem taxes for general revenue purposes not heretofore donated or appropriated; etc., and declaring an emergency."

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—64

Alsup	Bruhl
Bailey	Bullock
Bean	Bundy
Bell	Burkett
Boone	Carrington
Bray	Clark
Brown	Crossley

Crosthwait	Love
Daniel	McAlister
Dickson of Nolan	McGlasson
Dove	McLellan
Duckett	McNamara
Eubank	Manning
Gandy	Martin
Goodman	Matthews
Halsey	Montgomery
Hargis	Pace
Harris of Hill	Parker
Hartzog	Pevehouse
Heflin	Rampy
Helpinstill	Roark
Hobbs	Shell
Howard	Simpson
Hoyo	Smith of Bastrop
Huddleston	Spacek
Hutchinson	Stinson
Jones	Taylor
King	Turner
Klingeman	Vale
Knight	Weatherford
Lehman	White
Leyendecker	Winfree

Nays—52

Allison	Humphrey
Avant	Isaacks
Brawner	Kennedy
Bridgers	Lansberry
Burnaman	Little
Carlton	Lock
Cato	Lucas
Cleveland	McMurry
Craig	Markle
Davis	Moore
Deen	Morgan
Dickson of Bexar	Murray
Ellis	Reed of Bowie
Ferguson	Reed of Dallas
Files	Ridgeway
Fitzgerald	Rhodes
Fuchs	Roberts
Garland	Sallas
Gilmer	Senterfitt
Hanna	Skiles
Hardeman	Smith of Atascosa
Harris of Dallas	Stanford
Henderson	Thornton
Hileman	Walters
Howington	Wattner
Hughes	Whitesides

Absent

Baker	Dwyer
Benton	Evans
Blankenship	Favors
Chambers	Kelly
Coker	Kinard
Colson, Mrs.	McCann
Donald	McDonald

Manford
Morris
Price

Spangler
Voigt

Absent—Excused

Allen
Celaya
Connelly
Huffman
Kersey
Lowry
Lyle

Mills
Morse
Nicholson
Phillips
Sharpe
Stubbs

HOUSE BILL NO. 1040 ON SECOND READING

(By unanimous consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1040, A bill to be entitled "An Act to fix the maximum rate of tax to be levied for school purposes in all independent school districts in which the State of Texas or its agencies own ten per cent or more in area of the land within the limits or boundaries of said independent school district authorizing said district to levy a tax for school purposes not to exceed One Dollar and Fifty Cents on each One Hundred Dollar valuation of property; limiting the amount of said tax rate which may be levied for bond purchases to a rate not to exceed fifty cents upon each One Hundred Dollar valuation of property; and providing that no tax rate shall be levied in such district except on a vote of the majority of the tax paying qualified voters and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 1040 ON THIRD READING

Mr. Whitesides moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 1040 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106

Allison
Alsup
Avant

Bailey
Baker
Bell

Benton
Blankenship
Boone
Bray
Bridgers
Brown
Bundy
Burkett
Burnaman
Carrington
Cato
Clark
Coker
Colson, Mrs.
Crossley
Crosthwait
Daniel
Davis
Deen
Dickson of Bexar
Dickson of Nolan
Ellis
Eubank
Ferguson
Files
Fitzgerald
Fuchs
Gandy
Goodman
Hanna
Hardeman
Hargis
Harris of Dallas
Harris of Hill
Hartzog
Heflin
Helpinstill
Henderson
Hileman
Hobbs
Howington
Hoyo
Huddleston
Hughes
Humphrey
Hutchinson
Isaacks
Jones
Kelly
Kennedy

Klingeman
Knight
Lansberry
Lehman
Leyendecker
Little
Lock
Love
Lucas
McAlister
McDonald
McGlasson
McLellan
McMurry
McNamara
Manford
Manning
Markle
Martin
Matthews
Montgomery
Moore
Morgan
Murray
Pace
Parker
Pevehouse
Rampy
Reed of Bowie
Reed of Dallas
Ridgeway
Rhodes
Roark
Roberts
Senterfitt
Shell
Simpson
Skiles
Smith of Bastrop
Smith of Atascosa
Spacek
Stinson
Turner
Vale
Voigt
Walters
Wattner
Weatherford
White
Whitesides

Absent

Bean
Brawner
Bruhl
Bullock
Carlton
Chambers
Cleveland
Craig
Donald
Dove

Duckett
Dwyer
Evans
Favors
Garland
Gilmer
Halsey
Howard
Kinard
King

McCann
Morris
Price
Sallas
Spangler

Stanford
Taylor
Thornton
Winfree

Absent—Excused

Allen
Celaya
Connelly
Huffman
Kersey
Lowry
Lyle

Mills
Morse
Nicholson
Phillips
Sharpe
Stubbs

The Speaker then laid House Bill No. 1040 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—106

Allison	Heflin
Alsup	Helpinstill
Avant	Henderson
Bailey	Hileman
Baker	Hobbs
Bell	Howington
Benton	Hoyo
Blankenship	Huddleston
Boone	Hughes
Bray	Humphrey
Bridgers	Hutchinson
Brown	Isaacks
Bundy	Jones
Burkett	Kelly
Burnaman	Kennedy
Carrington	Klingeman
Cato	Knight
Clark	Lansberry
Coker	Lehman
Colson, Mrs.	Leyendecker
Crossley	Little
Crosthwait	Lock
Daniel	Love
Davis	Lucas
Deen	McAlister
Dickson of Bexar	McDonald
Dickson of Nolan	McGlasson
Ellis	McLellan
Eubank	McMurry
Ferguson	McNamara
Files	Manford
Fitzgerald	Manning
Fuchs	Markle
Gandy	Martin
Goodman	Matthews
Hanna	Montgomery
Hardeman	Moore
Hargis	Morgan
Harris of Dallas	Murray
Harris of Hill	Pace
Hartzog	Parker

Pevehouse
Rampy
Reed of Bowie
Reed of Dallas
Ridgeway
Rhodes
Roark
Roberts
Senterfitt
Shell
Simpson
Skiles

Smith of Bastrop
Smith of Atascosa
Spacek
Stinson
Turner
Vale
Voigt
Walters
Wattner
Weatherford
White
Whitesides

Absent

Bean	Gilmer
Brawner	Halsey
Bruhl	Howard
Bullock	Kinard
Carlton	King
Chambers	McCann
Cleveland	Morris
Craig	Price
Donald	Sallas
Dove	Spangler
Duckett	Stanford
Dwyer	Taylor
Evans	Thornton
Favors	Winfree
Garland	

Absent—Excused

Allen	Mills
Celaya	Morse
Connelly	Nicholson
Huffman	Phillips
Kersey	Sharpe
Lowry	Stubbs
Lyle	

**EXTENDING CONGRATULATIONS
TO HONORABLE AND MRS.
L. L. DUCKETT**

Mr. Manning offered the following resolution:

H. S. R. No. 319, Extending Congratulations to Honorable and Mrs. L. L. Duckett.

Whereas, The unerring aim of Dan Cupid struck amidst the ranks of the Bachelors of the House of Representatives with devastating force a few days ago, one who had before him many, many years of single bliss; and

Whereas, This loss to the single Members represents a gain to those encumbered Members of the House of Representatives who heretofore have succumbed without protest to that which finally becomes the fate and destiny of all men; and

Whereas, The House feels some degree of sorrow for the single Mem-

bers of the House in the loss of their brother bachelor, yet the admission that in taking a bride, the charming, beautiful and gracious Ethel Coughran, our Honorable Member, LaFayette Lionel Duckett, has stirred the hopes in the hearts of every single Member, that he too, might be rewarded by so lovely a bride if he would but put aside his bachelor ideas; now

Therefore, The House desires to express by this resolution a dual thought:

To Ethel and LaFayette Lionel Duckett, our newest newlyweds, our sincere congratulations that, not only for the remainder of this session, but for all their lives, they may enjoy all good things, happiness, and success in anything they undertake in their mutual life.

Resolved, That the House request the Honorable LaFayette Lionel Duckett to forthwith bring his charming bride to the platform of the House to be presented to the House with proper ceremony.

MANNING,
HUTCHINSON,
HILEMAN,
McLELLAN,
SALLAS,
RHODES,
EVANS,
HOBBS,
SPACEK.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Alsup, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Dwyer, Ellis, Eubank, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Halsey, Hanna, Harde-man, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock,

Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McMurry, McNamara, Manford, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampy, Reed of Bowie, Reed of Dallas, Ridgeway, Roark, Roberts, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides and Winfree.

On the motion of Mr. Alsup, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

In accordance with the above action the Speaker announced the appointment of the following committee to escort Hon. and Mrs. Duckett to the Speaker's stand: Messrs. Manning, Hutchinson, Hileman, McLellan, Sallas, Rhodes, Evans, Hobbs, and Spacek.

Speaker Leonard presented Hon. Everett Hutchinson, who presented Mr. and Mrs. Duckett to the House.

Mrs. Duckett addressed the House briefly.

Mr. Hutchinson then, on behalf of the Members of the House, presented Mr. and Mrs. Duckett with a gift.

MESSAGE FROM THE SENATE

Austin, Texas, June 3, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the following:

S. C. R. No. 74, Resolved by the Senate of the State of Texas, the House of Representatives concurring, that the Regular Session of the 47th Legislature do stand adjourned sine die on Saturday, June 7, 1941, at 12:00 o'clock noon.

The Senate has concurred in House amendments to Senate Bill No. 469 by the following vote: Yeas, 30; nays, 0.

Has concurred in House amend-

ments to Senate Concurrent Resolution No. 72 by the following vote: Yeas, 30; nays, 0.

The Senate has passed notwithstanding the Governor's veto, by a vote of yeas, 30, nays, 0, the following bill:

H. B. No. 828, A bill to be entitled "An Act amending Sections 3, 5, 6, 7 and 9 of Chapter 426, Acts of the Regular Session of the 45th Legislature, relative to the powers of the San Jacinto River Conservation and Reclamation District; and declaring an emergency."

Adopted

H. C. R. No. 92, Granting permission to Mrs. Mamie Scherrer and husband to sue the State. (With amendment.)

Respectfully,

BOB BARKER,

Secretary of the Senate.

RELATIVE TO SENATE BILL NO. 20

Mr. Kinard moved to reconsider the vote by which the motion to pass Senate Bill No. 20 notwithstanding the veto of the Governor, was lost and asked to have the motion to reconsider spread on the Journal.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolutions:

H. B. No. 983, "An Act repealing Article 1350, Revised Civil Statutes of Texas, 1925; amending Article 1351 so as to make the penalty therein provided apply specifically to Articles 1348 and 1349, Revised Civil Statutes of Texas, 1925; amending Article 1351, Revised Civil Statutes and Article 213, Penal Code of Texas, to prohibit corporations, their officers, directors, stockholders, employees and agents acting in their behalf, from expending or promising to expend any money or thing of value in order to aid or hinder the nomination or election of any person to public office or to influence the vote on any question sub-

mitted to the voters; providing for an exception in elections directly affecting the granting, refusing, existence, or value of a franchise of a corporation which has the right of eminent domain, and providing that in such elections, all means of publicity employed by such corporation shall be identified as pay for by it; etc., and declaring an emergency."

S. C. R. No. 72, Authorizing certain correction in House Bill No. 983.

H. C. R. No. 155, To grant John W. Hoch permission to sue the State.

S. B. No. 163, "An Act providing for the regulating appropriations from moneys in the State Treasury not otherwise appropriated, to supplement local funds or the support, maintenance, operation, and improvement of the Public Junior Colleges of Texas, etc.; and declaring an emergency."

H. B. No. 990, "An Act authorizing Gulf Coast counties in Texas having fifty thousand population or more to construct, acquire, improve, operate and maintain causeways, bridges, tunnels or any combination thereof, including related properties and ferries, and to issue their revenue bonds payable solely from the revenues to be derived from the operation of such projects; making various provisions with respect thereto and with respect to the security and enforcement of such bonds, including provision for the execution of trust indentures, for the appointment of receivers for such projects, and for the deposit and security of funds in banks and trust companies, etc.; and declaring an emergency."

S. B. No. 469, "An Act amending Senate Bill No. 409 being Chapter 53, page 64, of the Special Laws of the Regular Session of the 43rd Legislature, 1933, relating to the 'County Court of Galveston County at Law,' etc.; and declaring an emergency."

HOUSE BILL ON FIRST READING

The following House bill, introduced today, was laid before the House, read first time, and referred

to the appropriate committee, as follows:

By Mr. Reed of Bowie and Mr. McCann:

H. B. No. 1076, A bill to be entitled "An Act authorizing the qualified voters of Hooks Independent School District situated wholly within Bowie County, a district containing not less than fifty-nine square miles in area, and having an assessed property valuation of not less than three hundred seventy thousand dollars, to determine whether or not any such district shall levy a tax for maintenance and bond purposes, the maximum of which for both of such purposes shall not exceed one dollar fifty cents on the one hundred dollars' valuation in any one year; provided that not more than one dollar of said tax shall be voted for bond purposes and not more than fifty cents shall be voted for maintenance purposes; providing that said tax shall be authorized, levied, assessed and collected under provisions of the law applicable to independent school district taxes; enacting provisions incident and relating to the subject and purpose of this Act; and declaring an emergency."

Referred to the Committee on School Districts.

TRIBUTE TO THE MEMORY OF JEFFERSON DAVIS

Mr. Hardeman offered the following resolution:

H. S. R. No. 320, Tribute to the Memory of Jefferson Davis.

Whereas, One hundred and thirty-three years ago today, in Christian County, Kentucky, there was born a man destined to make his imprint upon the pages of history as one of the greatest statesmen of all time; and

Whereas, His parents removed to Mississippi when Jefferson Davis was two years of age and operated a large plantation in that new and prosperous cotton region; and

Whereas, He attended various private schools in Mississippi and Kentucky, and Transylvania University from which he went as a cadet to West Point in 1824 where General Robert E. Lee, General Albert Sidney Johnston, and General Joseph

E. Johnston were his friends and classmates; and

Whereas, After his graduation Jefferson Davis served seven years as an officer in the United States Army under General Zachary Taylor, whose daughter became his wife and he thereupon resigned from the Army and settled as a cotton planter in Mississippi, quickly rising to a position of wealth and influence; and

Whereas, Due to the influence of an older brother who was active in public affairs, Jefferson Davis entered politics in 1843 as a candidate for a seat in the House of Representatives; and

Whereas, The issue which drew him into public affairs was the proposed repudiation of a great debt which the State of Mississippi had contracted with Nicholas Biddle, the Philadelphia capitalist, which repudiation was opposed by the Whigs and although a Democrat, Jefferson Davis broke with his party on this issue and was defeated for the Legislature, but became an elector on the Polk ticket in 1844; and

Whereas, In his canvass of the State he became widely known as an effective speaker and ardent expansionist and was elected to Congress the next year, but resigned to take command of a regiment of Mississippi volunteers in 1846 which participated in the Mexican War and by reason of the conspicuous part he played in the Battles of Monterrey and Buena Vista his name became a household word throughout the United States; and

Whereas, He was appointed United States Senator on his return to Mississippi in 1847, and when the Legislature met he was chosen for a full term and upon his appearance in the Senate he was promptly made chairman of the Committee on Military Affairs, and as such he labored constantly for a larger army and for the conquest and retention of that part of Mexico bordering on the Gulf of Mexico which was opposed by John C. Calhoun, who joined with the opposition party and the extreme expansionists were defeated; and

Whereas, Upon the death of Calhoun, Davis became the accepted leader of the South in national af-

fairs and in the critical struggle of 1850 when there was imminent danger of a disruption of the Union, Davis urged secession of the South rather than submission to the compromise measure which allowed California to enter the Union as a free State; and

Whereas, Failing to secure the adoption of his plan to extend the Missouri Compromise to the Pacific, he signed a protest against the compromise with most of the Southern delegates, Davis resigned his seat in the Senate and went home to lead a party of protest there, and as candidate for the Governorship of Mississippi, he waged a vigorous campaign but was defeated by the Unionists by less than 1,000 votes; and

Whereas, He retired to his plantation but soon began active participation in public discussions, and when his friend Franklin Pierce was nominated for the Presidency by the Democrats in 1852 he campaigned actively for him and was asked to become a member of the Cabinet which he declined, but later accepted the post of Secretary of War; and

Whereas, The Democrats avowed not to disturb the Compromise of 1850 and Davis, being one of its bitterest opponents, two years before, was now one of the first advisers of the Administration, causing much uneasiness in the country, but Davis had changed his mind and never again urged the South to secede, but insisted on fighting for the South and slavery within the Union; and

Whereas, He was a vigorous and resolute organizer and undertook to reform and enlarge the Military Academy at West Point and his greatest work was the survey of the Rocky Mountain region with a view to building a Pacific railroad, and while nothing was immediately done it, nevertheless, was the beginning of a new agitation for a railway which later was completed; and

Whereas, Davis returned to the Senate upon the close of Pierce's term and continued to press Southern interests upon the country, and upon the repeal of the Missouri Compromise in 1854 which he favored, and he then took the view that Kansas should be kept open to slavery based his position on the Dred Scott decision of the Supreme Court; and

Whereas, President Buchanan sent Robert J. Walker, whom Davis and other leading Southerners distrusted, as Governor to Kansas and when the Lecompton Constitution was defeated in Kansas, Davis denounced Walker as a traitor and when the President removed Walker in obedience to entreaties of Davis and others, Stephen A. Douglas denounced this treatment of Walker, and Davis became the irreconcilable foe of Douglas who was the Northern Democratic leader, and the Senate became the scene of the fight and Davis "read" Douglas out of the party and procured adoption of a series of resolutions which were made the basis of the platform of the Southern Convention, and the unyielding attitude of Davis and Douglas caused the break-up of the Convention and the nomination of Breckenridge and Douglas as the Democratic candidates; and

Whereas, When Lincoln's election became apparent Davis sought to reconcile the factions of his party but was unable to do so, and after the election he wrote that he was opposed to breaking up the Union and in a conference called of the Mississippi Congressional delegation he advised against secession which led to a reaction against him, and he was charged with being simply an ambitious candidate for the Presidency; and

Whereas, The course of events was beyond the control of the Southern leaders, and when Buchanan refused to recognize the right of South Carolina to secede, Mississippi withdrew and Davis gave up his place in the Senate with the greatest reluctance and returned to his home where he was chosen President of the Confederacy on February 9, 1861, in which position he sought to reconcile all elements in the South; and

Whereas, He surrounded himself with a Cabinet of able and fearless men, among them being Honorable John H. Reagan of Texas as his Postmaster General; and

Whereas, The firing on Fort Sumter stirred the martial spirit of the whole South and the border States of Virginia, North Carolina, Tennessee and Arkansas joined the Confederacy, and Davis became Presi-

dent of all the seceded States, and the capital was moved from Montgomery to Richmond; and

Whereas, The Confederate Constitution was largely the work of Davis, and he was careful not to overstep the Constitutional limitations and allowed the greatest freedom of the press although he was denounced daily by the leading papers; and

Whereas, Laboring under serious and numerous handicaps and difficulties, Davis created great armies and a considerable navy and set up arsenals and built salt works, laid railroad tracks and encouraged all types of domestic manufactures; and

Whereas, His administration as leader of the "Lost Cause" was characterized by zeal and energy from the beginning and the positive blunders of serious magnitude of which he was guilty were few; and

Whereas, Because of the reverses sustained, the failure of recognition of the Confederacy by European powers and the increased blockade finally brought President Davis and his generals to expect defeat and the people to lose heart; and

Whereas, Upon the surrender of General Lee at Appomattox on April 9, 1865, the Confederacy fell and President Davis was captured on May 10, 1865, at Irwinville, Georgia, and was promptly imprisoned at Fort Monroe where he remained until May 15, 1867, when he was released on bail; and

Whereas, Broken in body and fortune he visited New Orleans, his former home near Vicksburg, England and France, and finally settled down to work as the president of a life insurance company in Memphis, Tennessee, which business failed in the panic of 1873, whereon Davis endeavored to promote some commercial enterprises in New Orleans, but which never materialized and he took up his residence at Beauvoir in 1878 a beautiful home on the Gulf Coast presented to him by a friend where he lived until his death in New Orleans on December 6, 1889, where he had gone on business and where he was buried, but his remains were removed to Richmond in 1893; and

Whereas, Jefferson Davis' influence on the history of the Nation

was of such unlimited magnitude and force in the various capacities in which he served with such distinction as soldier, statesman and citizen; and

Whereas, The House of Representatives desires to pay tribute and honor to the memory of President Jefferson Davis, a true son of the South, a man with conviction and with the courage of conviction, who was ever ready, able and willing to support and defend the principles in which he believed; now, therefore, be it

Resolved, by the House of Representatives, in recognition of the life's work of this noble American whose tragic career commands the respect of the world, That when the House adjourns today it do so in silent tribute to the memory of Jefferson Davis and that this resolution be spread upon the pages of the Journal of this day.

HARDEMAN,
HARRIS of Dallas,
WINFREE,
ISAACKS,
MORRIS,
CHAMBERS,
BEAN.

The resolution was read second time and was adopted.

ADJOURNMENT

Mr. Harris of Dallas moved that the House adjourn until 10:00 o'clock a. m. tomorrow.

Mr. Reed of Bowie moved that the House recess until 3:00 o'clock p. m. today.

The motion to adjourn prevailed and the House accordingly at 12:40 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Municipal and Private Corporations: H. B. Nos. 530 and 531.

Judicial Districts: H. B. No. 161.

REPORTS OF THE COMMITTEE
ON ENGROSSED BILLS

Austin, Texas, June 2, 1941.

Hon. Homer L. Leonard, Speaker of
the House of Representatives.

Sir: Your Committee on En-
grossed Bills, to whom was referred

H. B. No. 1069, A bill to be en-
titled "An Act prescribing the time
of meeting of the county board of
school trustees in counties contain-
ing a population of not less than
forty-eight thousand and eight hun-
dred (48,800) and not more than
fifty thousand and four hundred
(50,400) inhabitants, according to
the last preceding Federal Census,
the meeting place of said board, the
compensation to be paid each county
school trustee, and the fund out of
which said compensation shall be
paid; providing that this Act shall
be cumulative of all existing laws
on this subject when not in conflict
and when in conflict the provisions
of this Act shall control; repealing
all laws in conflict; and declaring
an emergency."

Has carefully compared same and
finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 2, 1941.

Hon. Homer L. Leonard, Speaker of
the House of Representatives.

Sir: Your Committee on En-
grossed Bills, to whom was referred

H. B. No. 1070, A bill to be en-
titled "An Act providing that it shall
be lawful to kill quail in Van Zandt
County only on Monday, Wednesday,
and Saturday of each week after the
first day of December, 1941, and
continuing until and including the
16th day of January, 1942, and dur-
ing the same time for each year
thereafter on the same days of the
week; providing the number of quail
that can be killed on any one day;
prescribing violations of this Act and
providing the penalties therefor; re-
pealing all laws in conflict herewith
and expressly repealing House Bill
No. 949, Regular Session of the 47th
Legislature; and declaring an emer-
gency."

Has carefully compared same and
finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 2, 1941.

Hon. Homer L. Leonard, Speaker of
the House of Representatives.

Sir: Your Committee on En-
grossed Bills, to whom was referred

H. C. R. No. 184, Authorizing the
Speaker of the House and the Presi-
dent of the Senate to appoint a Com-
mittee of three (3) House Members
and two (2) Senate Members to
work in conjunction with our Gover-
nor and other Agencies of our Gov-
ernmental Body in an effort to come
to an agreement on House Bill No.
941.

Has carefully compared same and
finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 3, 1941.

Hon. Homer L. Leonard, Speaker of
the House of Representatives.

Sir: Your Committee on En-
grossed Bills, to whom was referred

H. C. R. No. 186, Authorizing ap-
pointment of a "Texas Committee to
Further Pan American Relations."

Has carefully compared same and
finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 2, 1941.

Hon. Homer L. Leonard, Speaker of
the House of Representatives.

Sir: Your Committee on En-
grossed Bills, to whom was referred

H. B. No. 1074, A bill to be en-
titled "An Act to amend Section 8,
Chapter 42, Acts of the 41st Legisla-
ture, 2nd Called Session, as amend-
ed by Section 9, Chapter 282, Acts
of the 42nd Legislature, Regular
Session, prescribing the rate and
speed of motor or other vehicles up-
on the public highways of Texas, and
within the corporate limits of an in-
corporated city or town, and within
any town or village not incorporat-
ed; prescribing the rate of speed for
a commercial motor vehicle, truck-
tractor, trailer or semi-trailer; de-
fining the terms "daytime" and
"nighttime"; providing that no per-
sons shall drive a vehicle on a high-
way at a speed greater than is rea-
sonable and prudent under the con-
ditions then existing and making un-
lawful the act of driving so as to wil-

fully obstruct traffic; authorizing the State Highway Commission to fix the maximum, reasonable and prudent speed under described circumstances upon the basis of an engineering and traffic investigation and requiring the Commission to give notice thereof by the erection of appropriate signs; authorizing the governing bodies of incorporated cities and towns to fix the maximum speed within their jurisdiction under certain circumstances; requiring the charge of speed violations and the summons to specify the rate of speed at which the person charged was driving and the speed limit applicable thereto; providing that the provision of this Act shall not relieve the plaintiff in any civil action from the burden of proving negligence as the proximate cause of any accident; providing a savings clause, repealing all laws in conflict, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 3, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1049, A bill to be entitled "An Act for the purpose of providing necessary regulations for the taking or possession of fish, or use of fishing tackle or gear, from the body of water impounded by Possum Kingdom Dam, which Dam is situated in Palo Pinto County, Texas, and declaring it unlawful to fish in said body of water, possess, or dispose of fish taken therefrom, or possess fishing tackle, except in accordance with regulations issued under the directions given in this Act; providing a special license for those over seventeen (17) years of age who fish in Possum Kingdom Lake; providing for the disposition of funds collected from the sale of such special license; providing a suitable penalty for violation of any provision of this Act; repealing conflicting laws; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 2, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1068, A bill to be entitled "An Act to amend Article X of House Bill No. 8, passed by the Regular Session of the Forty-second Legislature, placing a gross receipts tax upon the retail sales of new radios and placing a stamp tax upon the sale of cosmetics and playing cards, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 3, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 197, Authorizing correction in H. J. R. No. 1.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 3, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 194, Suspending the Constitutional Rule on Senate Bill No. 301.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 3, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1045, A bill to be entitled "An Act providing that it shall be unlawful to buy or sell any fish caught in Possum Kingdom Lake, located in Stephens, Palo Pinto and Young Counties or in any of the back waters; any person found guilty of this Act shall be fined not less than Five Dollars (\$5.00) nor more

than One Hundred Dollars (\$100.00); and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, June 3, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 971, "An Act authorizing cities and towns having a population of less than three hundred and eighty thousand (380,000) inhabitants, according to the preceding or any future Federal Census, and eligible under the terms of this Act to fund certain indebtedness outstanding on the effective date of this Act; prescribing the method and procedure for issuance of funding or refunding bonds, and which cities or towns cannot derive revenues for general fund operating expenses from any publicly owned utilities at this time; validating such outstanding indebtedness not in litigation at the time this Act becomes effective; providing that this Act shall not increase the debt burden of any such city or town; providing that this Act shall be cumulative of all other Acts, but that its provisions shall prevail in the event of conflict with other laws; enacting provisions incident to and relating to the subject; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

MURRAY, Vice Chairman.

Austin, Texas, June 3, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 361, "An Act declaring the floods of Lavaca County, Texas, to be a public calamity; authorizing a donation and grant to Lavaca County Flood Control District of one half of the State ad valorem taxes collected in Lavaca County for flood control improvement and

maintenance purposes, specifying the reports thereon to be made by the Assessor and Collector of Taxes; authorizing the issuance of bonds secured by a pledge of the funds donated and granted by the State and prescribing the manner of issuance thereof; providing the procedure hereunder for all matters relating to said donation; making the Act cumulative of existing laws; providing that if any provision of this Act shall be held invalid, the other provisions shall not be affected; repealing all laws in conflict; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

MURRAY, Vice Chairman.

Austin, Texas, June 3, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 821, "An Act amending Section 3 of Senate Bill No. 46, Chapter 41, page 116, Acts of the Fortieth Legislature, First Called Session, as amended by Senate Bill No. 20, Chapter 4, page 7, Acts of the Forty-first Legislature, First Called Session relative to the registration of births and deaths; and amending Section 20 of Senate Bill No. 46, Chapter 41, page 116, Acts of the Fortieth Legislature, First Called Session, as amended by Senate Bill No. 20, Chapter 4, page 7, Acts of the Forty-first Legislature, First Called Session, relative to fees for registration of births and deaths; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

MURRAY, Vice Chairman.

Austin, Texas, June 3, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 155, Granting permission to John W. Hoch to sue the State.

Has carefully compared same and finds it correctly enrolled.

MURRAY, Vice Chairman.

Austin, Texas, June 3, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 620, "An Act authorizing the Board of Regents of the University of Texas to build, equip, operate, and maintain a hospital, under the provisions of Chapter 5, Acts, Second Called Session of the Forty-third Legislature, as amended, and to levy and collect a compulsory group hospitalization fee from each student; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

MURRAY, Vice Chairman.

Austin, Texas, June 3, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 32, "An Act making it unlawful and a felony for any person who shall enter upon any premises or gas pipe-line right of ways with intent to steal or carry away without consent of the owner or assist in stealing or so carrying away any mercury from and out of any gas meter or measuring device or regulating device; defining the terms 'gas,' 'mercury,' and 'steal,' as used in this Act; declaring that the public health, safety, and welfare require that title to any mercury shall be transferred by a written bill of sale; providing that any person in any county in this State with mercury in his possession and who has not in his possession a bill of sale or who is otherwise unable to establish title thereto, shall be guilty of a felony; providing penalties for violation of the terms of this Act; providing that this Act shall be cumulative of all laws of this State; authorizing the prosecution thereunder whether or not the acts complained of constitute the essential elements of other or different offenses against the penal laws; providing a saving clause; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

MURRAY, Vice Chairman.

Austin, Texas, June 3, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 990, "An Act authorizing Gulf Coast counties in Texas having fifty thousand (50,000) population or more to construct, acquire, improve, operate, and maintain causeways, bridges, tunnels, or any combination thereof, including related properties and ferries, and to issue their revenue bonds payable solely from the revenues to be derived from the operation of such projects; making various provisions with respect thereto and with respect to the security and enforcement of such bonds, including provisions for the execution of trust indentures, for the appointment of receivers for such projects, and for the deposit and security of funds in banks and trust companies; providing that nothing in this Act shall authorize the construction of a bridge over and across any ship channel or waterway leading to any port; providing for approval of such bonds by the Attorney General; authorizing such counties to exercise the rights of condemnation in the manner provided; authorizing such counties to enter into agreements with the State or Federal Governments or any agencies or instrumentalities thereof; granting to such counties easements and rights of way in and over State lands and properties; providing for the management and control of such projects; providing that such projects and bonds shall be exempt from taxation; providing that the powers herein granted may be exercised without the consent or regulation of any State department, commission, or agency; authorizing the State Highway Commission to operate, maintain, or lease such projects; authorizing the refunding of such bonds; validating existing agreements; making general provisions with respect to the above; repealing House Bill No. 9, Chapter 32, Acts,

Fourth Called Session, Forty-third Legislature; providing a saving clause; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

MURRAY, Vice Chairman.

SENT TO THE GOVERNOR

June 3, 1941

House Bill No. 983.

House Concurrent Resolution No. 191.

EIGHTY-FOURTH DAY

(Wednesday, June 4, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Dickson of Bexar
Allison	Dickson of Nolan
Alsup	Donald
Avant	Dove
Bailey	Duckett
Baker	Dwyer
Bean	Ellis
Bell	Eubank
Benton	Evans
Blankenship	Favors
Boone	Ferguson
Brawner	Files
Bridgers	Fitzgerald
Brown	Fuchs
Bruhl	Gandy
Bullock	Garland
Bundy	Gilmer
Burkett	Goodman
Burnaman	Halsey
Carlton	Hanna
Carrington	Hardeman
Cato	Hargis
Celaya	Harris of Dallas
Chambers	Harris of Hill
Clark	Hartzog
Cleveland	Heflin
Coker	Helpinstill
Colson, Mrs.	Henderson
Connelly	Hileman
Craig	Hobbs
Crossley	Howard
Crosthwait	Howington
Daniel	Hoyo
Davis	Huddleston
Deen	Hughes

Humphrey	Murray
Hutchinson	Pace
Isaacks	Parker
Jones	Pevehouse
Kelly	Phillips
Kennedy	Price
Kinard	Rampy
King	Reed of Bowie
Klingeman	Reed of Dallas
Knight	Ridgeway
Lansberry	Rhodes
Lehman	Roark
Leyendecker	Roberts
Little	Senterfitt
Lock	Shell
Love	Simpson
Lowry	Skiles
Lucas	Smith of Bastrop
Lyle	Smith of Atascosa
McAlister	Spacek
McCann	Spangler
McDonald	Stanford
McGlasson	Stinson
McLellan	Stubbs
McMurry	Taylor
McNamara	Thornton
Manford	Turner
Manning	Vale
Markle	Voigt
Martin	Walters
Matthews	Wattner
Montgomery	Weatherford
Moore	White
Morgan	Whitesides
Morris	Winfree

Absent

Sallas

Absent—Excused

Allen	Mills
Bray	Morse
Huffman	Nicholson
Kersey	Sharpe

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Our heavenly Father, it is by Thy grace and goodness to us that we are spared in life and activity. May our minds and our hearts be open to Thy presence, and help us to know that Thou art God and beside Thee there is no other. Lord, use us for purposes of Thine own choosing in these remaining days, and give us stability and discretion. In Jesus' name. Amen."